



MedCo Indirect Medical Expert Agreement Compliance Procedure

MedCo Indirect Medical Expert (IME) Agreement Compliance Procedure

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1. Definitions

The definitions in the MedCo Indirect Medical Expert Agreement ('Agreement'), between the relevant Indirect Medical Expert (IME) and MedCo Registration Solutions ("MedCo"), apply to this document unless otherwise stated.

Where this document refers to MedCo this shall mean MedCo, any subsidiary or holding company (as defined in section 1159 Companies Act 2006), party contracted by MedCo or representative of MedCo from time to time.

2. Background & Purpose

All IMEs are expected to comply with the Agreement to ensure that the interests of MedCo are protected.

This procedure is intended to:

- Promote fairness and consistency in the treatment of an IMEs;
- Ensure that MedCo have a fair and consistent method of dealing with any misconduct or failure to meet the required standards;
- Correct an IME's conduct and allow them to make necessary improvements;
- Assist the effective operation of the MedCo Service.

3. Key triggers

The key triggers for instigating this procedure are:

- The findings of a compliance review carried out by MedCo which indicate non-compliance with the Agreement;
- Notification of a security incident which indicates non-compliance with the Agreement;
- Notification of an IME's breach of the Agreement by any other means.

3.1. Incidents which require immediate review

The following categories of triggers will require the relevant Sub-Committee ("Committee") to convene as soon as possible to consider the report:

- An incident notified to the MedCo Board as either 'critical' or 'catastrophic';

The chair of the Committee or nominated deputy will be responsible for convening this meeting, usually within two Working Days of notifying the Chair of the Committee.

3.2. Incidents which do not require immediate review

If practicable, all other breaches should be considered at the next scheduled Committee meeting.



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4. Key stages

Where a breach has been notified to the relevant Committee, and at the absolute discretion of the Committee, action under the procedure outlined below will be taken.

1. Stage 1 - Written warning
2. Stage 2 - Suspension of registration while an investigation or urgent remedial actions take place
3. Stage 3 - Termination of Agreement pursuant to the provisions of the Agreement

Where the alleged misconduct or failure to meet the required standards is, at the absolute discretion of the Committee, of sufficient severity, the Committee may decide to commence the process with Stage 2 or 3.

5. Stage 1 – Written warning

The Committee is entitled to choose to issue a Written Warning to the IME. The IME will be contacted in writing by email to the email address listed on the registration. The notice will confirm:

1. This is a warning under the MedCo IME Agreement Compliance Procedure;
2. The details of the alleged conduct that has taken place and why this has resulted in the MedCo IME Agreement Compliance Procedure being triggered;
3. Details of the improvement(s) required and the timeframe to complete the improvement(s);
4. The timeframe decided at the Committee's absolute discretion for the IME to review the warning, investigate the alleged conduct and respond to MedCo;
5. Advise the IME that the alleged conduct could result in suspension or termination of registration.
6. Advise the IME they have the opportunity to make appropriate representations to the Committee and the timeframe decided at the Committee's absolute discretion for them to do this.
7. Advise the relevant IME of its right to apply the escalation procedure and where information regarding this procedure can be obtained.
8. Advise the IME that this warning should be forwarded to any other relevant directors for the organisation.

6. Stage 2 – Suspension of registration

6.1. High level procedure

The Committee may decide to suspend the registration in accordance with the Agreement for a period of time to be notified by the Committee and decided at the Committee's absolute discretion.



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The IME will be contacted and notified in accordance with the Agreement, a copy will also be sent to the IME's contact email address. MedCo will use its best endeavours to also contact the IME by telephone on or before the day of suspension. The notice will confirm:

1. That the registration is to be or has already been suspended under the MedCo IME Agreement Compliance Procedure;
2. The details of the alleged conduct that has taken place and why this has resulted in the MedCo IME Agreement Compliance Procedure being implemented;
3. Details of any previous written warnings that have been issued by the Committee and the responses received;
4. Details of the improvement(s) required;
5. The timeframe decided at the Committee's absolute discretion for the IME to review the warning, investigate the alleged conduct and respond to MedCo;
6. Advise the IME they have the opportunity to make appropriate representations to the Committee and the timeframe decided at the Committee's absolute discretion for them to do this.
7. The steps that may take place following the IME's response. For example it may be that a formal meeting, review or re-audit will be required prior to reinstatement of the IME's registration on the MedCo Service;
8. Advise the relevant IME of their right to apply the escalation procedure and where information regarding this procedure can be obtained.

6.2. Guidelines for conduct which may justify suspension of registration

The following list contains some examples of matters which may, at MedCo's absolute discretion, lead to suspension of registration; however this is not an exhaustive list:

- Serious issues raised on Quality Assessment or Peer Review
- No response is received from the IME following a written warning.
- Following a written warning, the agreed corrective measures have not been put in place within the agreed timeframe decided at the Committee's absolute discretion.
- More than two written warnings within a 12 month period.
- A breach of the Data Protection Act 1998 (and /or other relevant data protection legislation or regulatory provision).
- A breach of the Agreement.

7. Stage 3 – Termination of Agreement

7.1. High level procedure

MedCo have the right to terminate in accordance with the Agreement.

The IME will be contacted and notified in accordance with the Agreement, a copy will be sent to the IME's contact email address. MedCo will also use its best endeavours to contact the IME by telephone on the day that the notice is sent. The notice will confirm:

1. That the Agreement is to be or has already been terminated under the MedCo IME Agreement Compliance Procedure;
2. The details of the alleged conduct that has taken place and why this has resulted in the



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3. MedCo IME Agreement Compliance Procedure being implemented;
3. Details of any previous written warnings or suspensions that have been issued by the Committee and the responses received;
4. Advise the IME they have the opportunity to make appropriate representations to the Committee, before the Committee makes a decision to terminate the Agreement and the timeframe decided at the Committee's absolute discretion for them to do this.
5. Advise the relevant IME of their right to apply the escalation procedure and where information regarding this procedure can be obtained.

7.2. Guidelines for conduct which may justify termination of registration

The following list contains some examples of matters which may, at MedCo's absolute discretion, lead to termination of registration; however this is not an exhaustive list:

- Very serious issues raised on Quality Assessment or Peer Review
- No response is received from the IME following a written warning.
- Following a written warning, the agreed corrective measures have not been put in place within the agreed timeframe decided at the Committee's absolute discretion.
- More than two written warnings within a 12 month period.
- Previous suspension of the Agreement.
- A breach of the Data Protection Act 1998 (and /or other relevant data protection legislation or regulatory provision).
- A breach of the Agreement.

Where the conduct of the IME has breached the Agreement, the Committee will not exercise its contractual right to terminate the Agreement without following this procedure.

Escalation Procedure

The escalation procedure will be dealt with as set out in the Agreement.

8. Reinstating an IME

8.1. Advising the IME

The IME will be contacted and notified in accordance with the Agreement, a copy will be sent to IME's contact email address. The notice will confirm:

1. That suspension is to be lifted under the MedCo IME Agreement Compliance Procedure;
2. The details of the resolution (e.g. remedial action, successful appeal) that has taken place and why this has resulted in the suspension ending.
3. The steps that may take place following the lifting of the suspension. For example it may be that a monitoring period, will be required for a period deemed necessary in the reasonable opinion of the Committee.



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9. Updating the MedCo Registration

Following notification of the suspension, termination or reinstatement, the MedCo Service Delivery Manager will ensure that the status of the application in the MedCo Registration is changed to show an applicable status.